IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent-Plaintiff-Appellee

vs.

DINO KALEOLANI KAUAI, Petitioner-Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 01-1-2179)

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI (By: Nakayama, J., for the court1)

Petitioner-Defendant-Appellant's application for writ of certiorari filed on June 13, 2005, is hereby denied.

DATED: Honolulu, Hawai'i, June 23, 2005.

FOR THE COURT:

Puna Cinescenjana

Associate Justice

David Glenn Bettencourt for petitioner-defendantappellant on the writ

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NORMA T. YARA

ROBELLATE COURTS

¹Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.